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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	APPARATUS AND METHODS FOR MOTION AND PROXIMITY ENHANCED REMOTE IDENTITY BROADCAST WITH BIOMETRIC AUTHENTICATION
As the below named inventor(s), I/we declare that: This declaration is directed to: <input checked="" type="checkbox"/> The attached application, or <input checked="" type="checkbox"/> Application No. <u>10/604,915</u> , filed on <u>08/26/2003</u> . <input type="checkbox"/> as amended on _____ (if applicable); I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought; I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above; I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application. All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.	

FULL NAME OF INVENTOR(S)	
Inventor one: <u>Michael R. D'Angelo</u>	
Signature: <u><i>Michael R. D'Angelo</i></u>	Citizen of: <u>United States of America</u>
Inventor two: <u>Bruce W. Moulton</u>	
Signature: <u><i>Bruce W. Moulton</i></u>	Citizen of: <u>United States of America</u>
Inventor three: <u>Thomas R. Armstrong</u>	
Signature: <u><i>Thomas R. Armstrong</i></u>	Citizen of: <u>United States of America</u>
Inventor four: <u>Bardwell C. Salmon</u>	
Signature: _____	Citizen of: <u>United States of America</u>
<input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
LEX-001

Applicant, Patentee, or Identifier: D'Angelo, Michael R.
Application or Patent No.: Not Yet Assigned
Filed or Issued: August 26, 2003
Title: Apparatus and Methods for Motion and Proximity Enhanced Remote Identity Broadcast with Biometric ...

I hereby state that I am

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Lexent Technologies, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 9 Meriam Street, Suite 28, Lexington, MA 02420

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20418.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Michael R. D'Angelo

TITLE OF PERSON IF OTHER THAN OWNER CEO

ADDRESS OF PERSON SIGNING 9 Meriam Street, Suite 28, Lexington, MA 02420

SIGNATURE *Michael R. D'Angelo* DATE August 26, 2003



PTO/SB/01A (08-03)
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

☒ The attached application, or

→ ☐ Application No. 10/604,915 filed on 08/26/2003

☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)	
Inventor one:	<u>Michael R. D'Angelo</u>
Signature: _____	Citizen of: <u>United States of America</u>
Inventor two: <u>Bruce W. Moulton</u>	
Signature: _____	Citizen of: <u>United States of America</u>
Inventor three: <u>Thomas R. Armstrong</u>	
Signature: _____	Citizen of: <u>United States of America</u>
Inventor four: <u>Bardwell C. Salmon</u>	
Signature: <u>Bardwell C. Salmon</u>	Citizen of: <u>United States of America</u>
<input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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